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(not for service)

September 10, 2020

**BY ECF**

Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007-1312

Re: *A.C. et al., v. New York City Department of Education, et. al.*,  
20-CV-04807 (JMF)(RWL)

Dear Judge Furman:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel assigned to represent the New York City Department of Education, New York City Board of Education, and Richard Carranza, in his official capacity, in the above-referenced matter. In accordance with the Court's Orders dated July 13, 2020, and September 8, 2020 (Dkt. Nos. 18 and 26), I write jointly with Plaintiffs' counsel, Matthew McCann, Esq., in anticipation of the Initial Pretrial Conference, currently scheduled September 17, 2020.

The parties respectfully request Your Honor adjourn the Initial Pre-Trial Conference currently scheduled September 17, 2020. The parties are exploring settlement and additional time may allow the parties to resolve this action, obviating the need for discovery. Additionally, the parties respectfully request Your Honor refer this matter to Magistrate Judge Robert W. Lehrburger for a settlement conference to take place the week of November 1, 2020 or as soon thereafter as the Judge's schedule allows.

While the parties are requesting that the Initial Pre-Trial Conference be adjourned, the parties have enclosed a Proposed Civil Case Management Plan and Scheduling Order in accordance with Your Honor's Individual Rules and Practices § 2(B) as **Exhibit 1**. The dates

selected<sup>1</sup> in the proposed plan are beyond the timelines set forth in Your Honor's form Proposed Case Management Plan and Scheduling Order, so as to allow for efforts in the near term to be focused on settlement. Presently, the parties did not come to a consensus on the need for expert discovery; however, the parties will seek leave of the Court to extend discovery in accordance with Your Honor's Rules at a future date with respect to expert discovery if so needed.

Thank you for your consideration of this request.

Respectfully submitted,

/s/

Thais R. Ridgeway  
Assistant Corporation Counsel

CC: **BY ECF**

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Upon reflection, and in light of the Court's referral to Magistrate Judge Lehrburger for general pretrial purposes, ECF No. 19, there is no need for a pretrial conference to be conducted before this Court. Accordingly, the conference currently scheduled for September 17, 2020 is hereby CANCELLED. The parties shall contact the magistrate judge no later than **September 15, 2020** to schedule a settlement conference and to set a schedule for discovery. The Clerk of Court is directed to terminate ECF No. 28. SO ORDERED.



September 11, 2020

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<sup>1</sup> Notably, the close of discovery, March 5, 2021, was selected as it is 120 days from the week requested for the settlement conference.